

# United States District Court

EASTERN DISTRICT OF WISCONSIN

## JUDGMENT IN A CIVIL CASE

**CHARLIE TATE, JR.,**

Plaintiff,

V.

CASE NUMBER: **06-C-670**

**MILWAUKEE COUNTY JAIL,  
MILWAUKEE COUNTY COURTHOUSE,  
MILWAUKEE COUNTY SHERIFF'S DEPARTMENT,  
JOHN DOE,  
JOHN LNU,  
DR. TROUTMAN,  
JOHN P. RIEGERT, R.N.,  
SERGEANT HALE,**

Defendants.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the defendants Milwaukee County Jail and the Milwaukee County Sheriff's Department are dismissed from this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The plaintiff Charlie Tate, Jr.'s petition to proceed *in forma pauperis* against defendants the Milwaukee County Court House, John or Jane Doe Judge or Commissioner, Jane Doe receptionist, and John or Jane Doe prosecutor, is **DENIED**.

Charlie Tate, Jr.'s motion for default judgment on his 28 U.S.C. § 1983 action as to damages is **GRANTED** to the extent that he is awarded compensatory damages against the defendants Dr. Troutman, John P. Riegert, R.N. and Sergeant Hale, jointly and severally in the amount of \$27,000, on his Eighth Amendment claim relating to inadequate medical treatment provided to him for his dislocated shoulder, plus \$7,099.74 (prejudgment interest at the average monthly prime rate of 6.10% compounded annually from the period beginning on February 17, 2006, through the January 27, 2010, date of the entry of this judgment). The total compensatory damages award is \$34,099.74.

Punitive damages are awarded to Charlie Tate, Jr. in the amount of \$9,000 – \$3,000 each from Dr. Troutman, John P. Riegert, R.N. and Sergeant Hale.

Pursuant to 28 U.S.C. § 1961 post-judgment interest is awarded to Charlie Tate, Jr.

In all other respects, Charlie Tate, Jr.'s motion for default judgment as to damages is **DENIED**.

This action is hereby **DISMISSED**.

January 27, 2010  
Date

JON W. SANFILIPPO  
Clerk

s/ Linda M. Zik  
(By) Deputy Clerk

*APPROVED:*

s/ Rudolph T. Randa  
Hon. Rudolph T. Randa  
U.S. District Judge

*Dated: January 27, 2010*